

# RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
NORTHWEST LAKEWOOD SANITATION DISTRICT  
AND THE BOARD OF DIRECTORS OF THE  
WASTEWATER UTILITY ENTERPRISE  
HELD  
JUNE 27, 2007

A regular meeting of the Board of Directors of the Northwest Lakewood Sanitation District and the Board of Directors of the Wastewater Utility Enterprise (referred to hereafter as "Board") was convened on Wednesday, the 27th day of June, 2007, at 4:30 P.M., at the offices of the District, 141 Union Boulevard, Suite 150, Lakewood, Colorado 80226. The meeting was open to the public.

## ATTENDANCE

### Directors In Attendance Were:

Michael Curran, President  
Catherine "Cici" Kesler  
Julio Zamagni  
Richard Billings  
Anthony M. Dursey

### Also In Attendance Were:

Lisa A. Johnson and Lisa A. Jacoby; Special District  
Management Services, Inc.

Tim Flynn, Esq.; Collins, Cockrel & Cole, P.C.

Bill Willis and Britton Evans; Martin & Martin

Christine Polinsky, Randy Buettner, Carolyn  
Blessinger, Gerald Blessinger, Tom Cryan and Clint  
Webster; residents

## ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the May 23, 2007 regular meeting. Following discussion, upon motion duly made by Director Billings seconded by Director Kesler and, upon vote, unanimously carried, the minutes of the May 23, 2007 regular meeting were approved.

Metro Wastwater Reclamation District board representative: The Board did not appoint anyone to fill the vacancy at this time.

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### FINANCIAL MATTERS

Claims: The Board reviewed the payment of claims for the period ending June 27, 2007, totaling \$117,985.92.

Following review, upon motion duly made by Director Kelser, seconded by Director Billings and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending June 27, 2007.

Financial Statements: The Board reviewed the unaudited financial statements of the District setting forth the cash deposits, investments, and budget analysis, and accounts payable vouchers for the period ending May 31, 2007 and the schedule of cash position as of June 27, 2007.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Billings and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending May 31, 2007.

Investments: Following discussion, the Board instructed staff to work with Director Kessler on reinvestment of the maturing Certificates of Deposit.

### LEGAL MATTERS

Attorney's report: **Public Hearing on the Inclusion of Land Owned by Mark and Linda Orrino.** Director Curran opened the public hearing.

It was noted that publication of Notice stating that the Board would consider the inclusion of the property and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Dursey and, upon vote, unanimously carried, the Board approved the inclusion of the property as described in the Petition. A copy of Resolution 07-6-1 Ordering Inclusion of Real Property (Orrino Property) is attached hereto and incorporated herein by this reference.

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10001 West 32<sup>nd</sup> Avenue exclusion. The Board deferred discussion.

4101 Miller Street: Attorney Flynn reported that the Board will need to file for the 404 permit soon.

Following discussion, upon motion duly made by Director Billings, seconded by Director Dursey and, upon vote, unanimously carried, the Board authorized any Board member to sign the application for the 404 permit.

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Plant Manager's Report: Mr. Ramey presented the June 2007 monthly report.

**Moffat Water Treatment Facility.** There was no report available for review.

Engineer's report: 2007 line maintenance-seven point repairs. Mr. Willis reported that the work has been completed.

**2007 Sewer System repairs.** Mr. Willis reported that the project is out for bid and the bid opening is scheduled for July 6, 2007.

Following discussion, upon motion duly made by Director Billings, seconded by Director Dursey and, upon vote, unanimously carried, the Board authorized award of the contract to the lowest qualified bidder and authorized Director Curran to sign the notice to proceed.

**Revised letter to Denver Water.** The Board deferred discussion.

**Routt Street Sewer Project.** Mr. Evans and residents presented a proposal for the Routt Street Sewer Project. There are three residents, whose homes are located at 2112, 2110 and 2136 Routt Street, requesting installation of a new main line through 2105 and 2115 Robb Street. Mr. Willis will summarize all of the options available for completing this project and provide the information via email to the Board for review.

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OPERATIONS  
MATTERS

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### OTHER BUSINESS

Maintenance program: The Board discussed the need to update the addresses for the maintenance program.

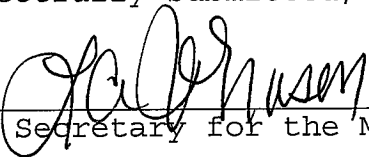
Following discussion, upon motion duly made by Director Billings, seconded by Director Kesler and, upon vote, unanimously carried, the Board authorized Martin/Martin to update the addresses for the maintenance program, for an amount not to exceed \$5,000.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

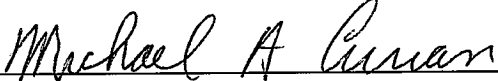
Respectfully submitted,

By



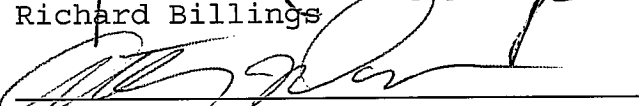
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL JUNE 27, 2007  
MINUTES OF THE NORTHWEST LAKEWOOD SANITATION DISTRICT  
BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
Michael A. Curran

  
Julio Zamagni

  
Richard Billings

  
Anthony Dursey

  
Catherine C. Kesler

EXHIBIT C

(Attached to and made a part of Motion for Inclusion of Real Property "Orrino Property" filed by Northwest Lakewood Sanitation District, Case No. 54 CV 8891 Consisting of four Pages)

DISTRICT COURT, JEFFERSON COUNTY, STATE OF COLORADO  Court Address: 100 Jefferson County Parkway Golden, CO 80401 Phone Number: (303) 271-6215	
IN RE THE MATTER OF NORTHWEST LAKEWOOD SANITATION DISTRICT, JEFFERSON COUNTY, COLORADO	
Timothy J. Flynn, Esq. Collins Cockrel & Cole 390 Union Blvd., Suite 400 Denver, Colorado 80228-1556 Telephone: (303) 986-1551 Facsimile: (303) 986-1755 E-Mail: tflynn@cccfirm.com Atty. Reg#: 10484	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case No.: 54 CV 8891  Div.: 3          Ctrm.:
<b>RESOLUTION 07-6-1 ORDERING THE INCLUSION OF REAL PROPERTY (ORRINO PROPERTY)</b>	

**WHEREAS**, on or about May 16, 2007, Linda D. Orrino and Mark A. Orrino, being the Petitioners and fee owners of 100% of certain real property described on Exhibit "A" as attached hereto and incorporated herein by this reference (the "Property"), filed a Petition for Inclusion of Real Property ("Petition") with the Board of Directors of the Northwest Lakewood Sanitation District seeking inclusion of said Property into the District pursuant to Title 32, Article 1, Part 4, C.R.S., as amended; and

**WHEREAS**, Notice of Hearing on the Petition setting forth the names and address of the Petitioners, and the date, time and place of the public meeting called for the purpose of hearing said Petition, was duly published one time on Wednesday, June 6, 2007, in *The Golden Transcript* and one time on Thursday, June 7, 2007, in *The Wheat Ridge Transcript*, newspapers of general circulation within Jefferson County, Colorado, as required by the statutes of the State of Colorado; and

**WHEREAS**, pursuant to said published Notice and § 32-1-401(2)(b), C.R.S., a public hearing was held on the Petition on Wednesday, June 27, 2007 at 4:30 p.m. at the District's management office located at 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228; and

**WHEREAS**, no municipality, county or any person residing or owning property within the District filed a written objection to the granting of the Petition, and no person or entity appeared at said public meeting to express or indicate any objection to the granting of the Petition; and

**WHEREAS**, the Property is within the District's contract sewer service area as described in the District's Connector Agreement with the Metro Wastewater Reclamation District; and

**WHEREAS**, the Property is physically capable of being served by District facilities or extensions thereof.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Northwest Lakewood Sanitation District, Jefferson County, Colorado that:

**Section 1. IT IS HEREBY ORDERED** that the Petition filed by the above named Petitioners IS HEREBY GRANTED and the Property as described on Exhibit "A" which lies within the County of Jefferson, State of Colorado, is hereby included into the Northwest Lakewood Sanitation District, subject to verification by the District's administrative staff that Petitioners have paid all of the costs and expenses incurred by the District in connection with the processing of the Petition, including the payment of the District's inclusion fee.

**Section 2. IT IS FURTHER ORDERED**, that upon certification by an appropriate member of the District's administrative staff that the foregoing condition precedent was met within one hundred twenty (120) from the date hereof, the District's legal counsel shall cause this Resolution ordering the inclusion of the Property to be filed with the Clerk of the District Court, Jefferson County, Colorado, together with a motion to the Court under the proceedings in Civil Action No. 54 CV 8891, encaptioned "In Re the Matter of The Northwest Lakewood Sanitation District, Jefferson County, Colorado" requesting an Order including the Property into the District. Upon inclusion of the Property into the District, the Property shall, among other things, be subject to all applicable District rules and regulations and all applicable rates, fees, tolls, charges and taxes, if any.

**Section 3.** A copy of this Resolution shall be affixed to the minutes of this meeting.

**ADOPTED AND APPROVED** this 27<sup>th</sup> day of June, 2007.

NORTHWEST LAKEWOOD  
SANITATION DISTRICT

By: Michael A. Curran  
Michael Curran, President

ATTEST:

Julio Zamagni  
Julio Zamagni, Secretary

**EXHIBIT A**

**(ATTACHED TO AND MADE A PART OF RESOLUTION 07-6-1  
ORDERING INCLUSION OF THE ORRINO PROPERTY INTO  
THE NORTHWEST LAKEWOOD SANITATION DISTRICT)**

**LEGAL DESCRIPTION**

The North 1/2 of Lot 1, EXCEPT the East 16.88 feet and EXCEPT the West 10 feet, and EXCEPT that portion deeded to the City of Lakewood, as described in the Warranty Deed recorded January 8, 1986, at Reception No. 86002850, Uplands, County of Jefferson, State of Colorado.

Also known by street and number as 2050 South Simms Street, Lakewood, Colorado.